

REMARKS

The Examiner objected to claims 4-9 and 14-19 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant gratefully acknowledges the Examiner's indication of allowable subject matter. In response, Applicant has rewritten claims 4 and 14 in independent form including all of the limitations of the original base claims 1 and 11 respectively and therefore Applicant maintains that claims 4 and 14 are in condition for allowance. Since claims 5-9 depend from claim 4 and claims 15-19 depend from claim 14, Applicant maintains that claims 5-9 and claims 15-19 are likewise in condition for allowance.

The Examiner rejected claims 1 and 11 under 35 U.S.C. §102(b) as allegedly being anticipated by Kurd et al. reference (U.S. Patent 6,320,424).

The Examiner rejected claims 2-3, 10, 12-13 and 20 under 35 U.S.C. §103(a) as allegedly being unpatentable over the Kurd et al. reference (U.S. Patent 6,320,424) in view of Jeong et al. reference (U.S. Patent 6,144,242).

Applicants respectfully traverse the §102 and §103 rejections with the following arguments.

10/707,178

35 U.S.C. §102

Claims 1 and 11 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Kurd et al. reference (U.S. Patent 6,320,424).

The Examiner alleges that "Kurd et al discloses in figures 5 and 7 an apparatus comprising a voltage controlled oscillator 40 adapted to provide a first clock signal (62 via 45) comprising a first frequency, and a phase frequency detector 120 adapted to compare the first clock signal clock signal comprising the first frequency to a reference frequency 12, the phase frequency detector comprising a programmable circuit (130 and 132) adapted to vary a minimum pulse width of an increment pulse and a minimum pulse width of a decrement pulse (col. 5, lines 59-65) as required by claim 1. It is noted that the limitation "the programmable circuit being further adapted to reduce a static phase error of the phase locked-loop circuit" is seen as an inherent result derived from the apparatus.

As to claim 11, it is rejected for reciting a method/step derived from the apparatus of claim 1 which is rejected as noted above".

As to claims 1 and 11 as amended, Applicant respectfully contends that Kurd does not anticipate claims 1 and 11, because Kurd does not teach each and every feature of claims 1 and 11. For example, Kurd does not teach the feature of "the programmable circuit being **directly connected to a first input of the first latch circuit and a second input of the second latch circuit**" (emphasis added). Kurd does not teach a programmable circuit **directly connected to latch circuits as taught by Applicant's claims 1 and 11. In contrast, Kurd teaches in FIGS 5 and 7, delay circuits 130 and 132 connected to NOR gates 122 and 124 and isolated (i.e., not**

10/707,178

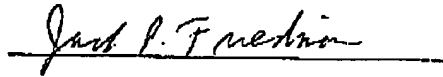
connected) from flip flop circuits 72 and 74. Therefore, Applicant contends that Kurd does not teach a programmable circuit **directly connected** to latch circuits. Based on the preceding argument, Applicant respectfully maintains that Kurd does not anticipate claims 1 and 11 and that claims 1 and 11 are in condition for allowance. Since claims 2-10 depend from claim 1 and claims 12-20 depend from claim 11, Applicant contends that claims 2-10 and claims 12-20 are likewise in condition for allowance.

10/707,178

11

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0456.

Date: 03/15/2005

Jack P. Friedman

Registration No. 44,688

Schmeiser, Olsen & Watts

3 Lear Jct Lane, Suite 201

Latham, New York 12110

(518) 220-1850

10/707,178